

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**COLORQUICK, L.L.C.,**

**Plaintiff,**

**vs.**

**VISTAPRINT LIMITED and  
OFFICEMAX INCORPORATED,**

**Defendants.**

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**CASE NO. 6:09cv323 LED-JDL**

**JURY DEMANDED**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (“R&R”), which contains his proposed findings of fact and recommendation for the disposition of such action, has been presented for consideration (Doc. No. 202). The Magistrate Judge recommends granting-in-part and denying-in-part Defendant Vistaprint Limited’s (“Vistaprint”) Motion for Summary Judgment of Non-Infringement (Doc. No. 132), granting the motion as to no literal infringement by Vistaprint, but denying the motion as to Vistaprint’s argument that only users perform the electronically manipulating step. Plaintiff Colorquick, L.L.C. (“Colorquick”) filed objections to the Report, arguing that Colorquick presented a genuine issue of material fact. (Doc. No. 217).

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the

findings and conclusions of this Court. Accordingly, all objections are overruled.

**So ORDERED and SIGNED this 9th day of June, 2011.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**